

Staff Variance Report
For
April 2, 2013 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“I” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

Tabled Variances:

- 13-01-36(b) **Lafayette Family YMCA – Lafayette**
C (b) *Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.* The exit discharge, “walking surface of the means of egress shall have a slip resistant surface and be securely attached”, this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? **Tabled at the request of the proponent. Tabled at the proponents request until the March meeting. Tabled at the request of the proponent till the April meeting.**
- 13-03-43 **Fourwinds Resort – Bloomington**
D *The existing R-1 occupancy hotel undergoing renovations included a pitched roof over an existing concrete flat roof, but the code required attic draft stops were not installed.* The code requires draft stopping above and in line with sleeping unit separation walls. The proponent advises that the sleeping unit separation walls are in place, but the draft stops have not been installed. The attic will be provided with heat and/or smoke detectors tied into the building’s fire alarm system. The interior of the building is separated from the attic with the existing concrete roof deck, from the old roof, except for a portion that overhangs the balconies. There are four attic access points through the gables. The hardship is that the roof is complete and they would need to remove sections of the roof to get the materials needed into the attic space to install the draft stops. Why can’t they use the provided attic access to take the materials in the attic area? **Tabled to let proponent obtain drawings and pictures of the new roof.**

13-03-46

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Gurdwara Jot Amrit Parjash – Fishers

Project #362664

*A planned addition of 580 sq. ft. is requested to be included in the permitted scope of Section 3410 as part of the evaluation. The code does not allow new construction to be in the scope of a Chapter 34 evaluation. The proponent advises that this 580 sq. ft. addition is to be part of the basement and 1st floor of the building. This request is due to the means of egress features in the existing building serving the addition and the size of the basement being increased (windowless story sprinkler requirement). The project passes Section 3410 as designed, but Section 3410 is not intended to cover new construction not in compliance with rules for new construction. The project involves the conversion of a single family residence (1st floor and basement) to a worship facility. The existing building has approximately 2,200 sq. ft. on the 1st floor and 1,700 sq. ft. in the basement. The addition will be separated from the existing building with a 2 hour fire barrier so as not to increase the fire area. The addition includes an enclosed egress stair to serve as the 2nd required exit from the basement. The building is provided with a fire alarm. The hardship is the construction of a structurally independent fire wall to separate the addition is a logistic and cost hardship. **Tabled so proponent can meet with local officials and give them plans.***

Temporary Action Only

13-03-47(a)(b)

C

Indiana State Fairgrounds – Blue Ribbon, Champions, Exposition, West – Indpls.

(a) Trade shows in 4 exhibit halls at the State Fair Grounds will have display fire pits and other devices with open flames during the course of the year, which is in violation of the Fire Code. The Fire Code does not allow open flame devices in assembly occupancies, use of LP-gas containers in excess of 12 lb. tanks, and heating devices that do not comply with the Mechanical and Fuel Gas codes. The proponent advises that the 4 buildings all have the required sprinkler systems that are tested and maintained in accordance with NFPA 25 requirements. The 4 buildings also have the required manual fire alarm systems with horns and visual devices. There are portable water based fire extinguishers provided within 20 feet of each open flame display, as well as a trained operator who knows the basics of fire extinguisher use will be at each location as required. The average ceiling height will be 20 feet. The hardship involves renting out exhibit space to various parties that want to use open flame devices for display and exhibits.

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*(b) The trade shows in the 4 buildings will have cooking for demonstration and sampling and the grills being used will not have Type I hoods installed over the equipment as required by code and the barbeque appliances do not comply with the Mechanical Code. The hardship involves renting out exhibit space to various parties that want to use open flame devices for display and exhibits. **Approved for 30 days and give proponent time to return to Commission with a plan on how they will proceed with these type of displays in the future, in a written document and a more specific description of the kinds of open flames.***

New Variances:

- 13-04-1 A **Spicer Rentals – 1123 Buckingham East St. – Bloomington**
The emergency escape and rescue windows do not meet the code of record. The code requires the windows to have a minimum openable area of 5.7 sq. ft., height of 24", width of 20" and a maximum sill height of 44" above the floor. The current windows are 6.2 sq. ft., 22" high, 41" wide and have a sill height of 27".
- 13-04-2 A **Westminster Way – 3127 S. Westminster Way – Bloomington**
The emergency escape and rescue windows do not meet the code of record. The code of record requires a minimum size of 4.75 sq. ft., 24" in height, 18" in width and a sill height a maximum of 48" above the floor. The current windows are 6.23 sq. ft., 21" high, 42.75" wide with a sill height of 26".
- 13-04-3 A **Vance Building – 112 W. 6th Street – Bloomington**
Unit 2 and Unit 3 in the building do not have windows in the living room, as required by the 1993 IBC Section 1205(b), which was the code in effect at the time the apartments were put into use. The units meet the current code requirement for artificial light at 114 lux at 30 inches above the floor level in unit 2 and 116.4 lux in unit 3 at 30 inches above the floor. The hardship is the units are currently rented till July of 2013 and the tenant in unit 3 has renewed until August of 2014.
- 13-04-4 A **Spicer Rentals – Wilson Street – 402 W. Wilson St. – Bloomington**
The emergency escape and rescue windows do not meet the code of record. The code of record requires a minimum size of 4.75 sq. ft., 24" in height, 18" in width and a sill height of 48" maximum above the floor. The current windows are 4.33 sq. ft., 24" high, 26" wide and have a sill height of 29".
- 13-04-5 C **Richmond Police Department – Elevator Shaft – Richmond**
A ventilation pipe will be installed in the elevator shaft to vent radon gas from the lowest level of the building, in violation of the code that prohibits anything in the hoistway. The proponent advises that the horizontal clearances listed in the code will not be violated. The Health Department representative advises that the Indiana Administrative Code 410 IAC 5, the Radon Gas Rule, prohibits the exhaust of radon gas from a mitigation system to areas where the general public may be present. It also states that any mitigation system's exhaust pipe should end above the roofline of the home or building structure. He also advises that this installation will meet the code for Radon Gas mitigation. The proponent advises that this installation will be fire stopped and caulked in accordance with code, but does not state what the piping will be made of and if it will meet the fire rating of the elevator shaft and areas being penetrated.
- 13-04-6 A **Rockland Flooring – Monon** Project #361998
The code required plumbing fixtures required by Table 29 in the 2008 IBC will not be provided in this roof only addition over a concrete slab, between two buildings. The proponent advises that this is a roof addition over a slab that goes between two buildings. This addition does not change the use of the slab but protects the materials and makes a

safer working area for the employees, for them to be out of the weather. There is no plumbing in the space and the other items are provided in the adjacent buildings. The hardship is the cost to provide the water to the space and installing to protect from freezing in the unheated area. There is a cost estimate of upwards of \$15,000.00 to \$20,000.00.

- 13-04-7 A **2368 South Henderson St. – Bloomington – Windows**
The emergency escape and rescue windows do not meet the code of record. The code of record requires a minimum size of 4.75 sq. ft., clear height of 24”, width of 18” and a maximum sill height of 48” above the floor. The current windows are 4.89 sq. ft., 23.5” high, 30” wide and a sill height of 31”.
- 13-04-8 AI **531 E. Graham Place – Bloomington – Windows**
The emergency escape and rescue windows do not meet the code of record. The code of record requires a minimum size of 4.75 sq. ft., clear height of 24”, width of 18” and a maximum sill height of 48” above the floor. The current windows in the upper floor are 4.79 sq. ft., 23” high, 30” wide and a sill height of 31”. The current basement windows are 4.73 sq. ft., 19.75” high, 34.5” wide and a sill height of 38”.
- 13-04-9 AI **HA Cleaning Business – 920 Adams – Gary**
The building has been vacant for over a year and the sprinkler system will not be maintained as required by the code. The sprinkler system is not functioning at this time and there is no heat in the building. The building is empty except for a few machines that have not been removed. The proponent advised that there are not any combustibles in the structure. They are not planning on using the building at this time.
- 13-04-10 B **OE Lakeside Day Center – Valparaiso**
ACLA Buffers will be installed in place of the code compliant springs on this elevator installation. The buffers have been approved in the past by the Commission as being equivalent alternatives.
- 13-04-11 A **Memorial Hospital and Healthcare Center – Elevator Modernization – Jasper**
The existing elevator machine room is open to the penthouse mechanical room which is not allowed by code. The proponent advises that a fire barrier will not be constructed between the existing elevator equipment and other systems and areas in the machine room. This situation is currently in place and the renovation will not make the situation more hazardous than what currently exists. The improvements to the elevator include ADA and Phase I and II recall improvements and Hoist machine and microprocessor based controls. The hardship is that the cost and difficulty in completing the mechanical room enclosure and moving utilities renders the project’s cost not in allowable budget limitations. Was the fire barrier required at the time of the original construction?
- 13-04-12 B **Indiana Tech Academic Center – Ft. Wayne**
The 3 story floor opening connecting the 1st, 2nd, and 3rd floors will not be enclosed in a fire rated shaft enclosure or comply with one of the exceptions in section 707.2 of the IBC. The building will be classified as “B” and “A-3” occupancies and will be of Type

IIB Construction. The floor openings at the 1st, 2nd, and 3rd floor ceilings will be protected with a minimum 18" draft curtain and sprinkler curtain per 7-9.7, of NFPA 13, as required for an escalator or convenience stair opening. The building will be protected throughout with an automatic sprinkler system per NFPA 13. Two separate exit stairs will be enclosed with one hour fire barriers, as required per code. The hardship is the cost to provide a fire rated enclosure around the opening. The enclosure would also detract from the desired design objective to have a communicating opening among the three floor levels.

- 13-04-13 C **Johnson-Danielson Funeral Home Addition – Plymouth**
The code required vestibule will not be provided for the new building entrance. The proponent advises that they will, provide the following items in lieu of the vestibule: they will upgrade the thermal efficiency of other parts of the building envelope and install R-50 rather than the code required R-38 attic insulation. They will install R-28.6 spray foam insulation in lieu of the code required R-13 in wall cavity insulation. The existing part of the building is not required to be upgraded, but they will install single pane glass with new low-e argon filled double pane windows, insulate the non-insulated exterior walls with R-13 cavity insulation, and upgrade the existing attic insulation from R-6 to R-50. The new entry addition, which includes a safer interior accessibility ramp and exit stair, as well as additional accessible restrooms, encroach into the existing parking area and with the installation of a vestibule will extend the entry too far into this area. The current building is land locked between the building and the church next door.
- 13-04-14 CI **New Palestine Masonic Lodge – Chair Lift – New Palestine**
Two chair lifts will be installed in the three story structure which will encroach on the required width of the stair and the new hand rail will also encroach on the required width. The 1st floor is a restaurant, 2nd floor is a private dining room and the 3rd floor is a meeting room. There are no accommodations for the members to go to the upper floors who are unable to climb the stairs. The floors are served by one 54" wide stair and an exterior fire escape. The chairlifts will be installed one per each floor and will have a permanent track that projects 9" into the stairwell and a folded chair that projects 15 1/8" in the folded position. The proponent advises that they will install a 2nd chair rail on the opposite side from the chair lifts. They are also proposing to remove a door, frame and returns on the 2nd floor landing and on the 3rd floor the loft will extend beyond the dimension for a required landing to avoid blocking the upper stair. The hardship is the small site with limited parking and the alternative of an elevator would require an exterior tower which would further limit parking at a cost substantially higher than the owner's budget. No occupant load information on each of these floors so the required exit width is not clear. Was the documentation required by Section 1009.12 concerning the loading of the fire escape provided as required?
- 13-04-15 CI **Indiana Regular Baptist Youth Camp – Oak Cabin – Hillsboro Project #362553**
The code required sprinkler system will not be provided for this R-1 occupancy sleeping cabin. The building has 2 sleeping areas one on the main level and the other in the lower level. Each cabin is 900 sq. ft. and sleep seven in on each level. There are 2 exit doors from each level, the lower levels exits are not remote and the main level are on opposite

sides of the structure and exit onto exterior porches with one requiring the use of stairs to the ground level. The proponent advises that the campground does not have public utilities and that would add extra costs. The campground does not have phone service for a monitoring system. The drawings submitted show drawings of ceiling fans in the structure so presumably the campground does have electricity. The drawings also show showers and restrooms, so there must also be some type of water available. The aerial pictures show a large lake, the proximity to the cabins the proponent mentions are going to be built is not clear, since he does state cabins, indicating more than one cabin is going to be built. With the large lake, there is water available for a dry hydrant for the fire department to use or for sprinkler systems with the addition of a fire pump. What is the cost for a dry hydrant? According to State Plan Review this project has two cabins submitted.

13-04-16(a)(b)

YMCA of Southwestern IN – New Cabin at Camp Carson – Princeton

Project #362912

- C (a) *The code required sprinkler system will not be provided for the new cabin which is an “R-2” occupancy.* The proponent advises that the cabin is a large open plan space giving campers clear easy access to both the front and rear doors of the cabin. They have a requirement for a minimum 4-A, 60-B:C, 10 pound, multipurpose, dry chemical, pressure fire extinguisher within 100 feet of each kitchen, furnace room and sleeping facilities. They advise that there is an 8 acre lake in the heart of the camp with easy road access for fire trucks, but there is no mention of a dry hydrant being provided. The hardship is the water and sewer come from the town of Princeton and the Princeton Water Department advise that they are unable to provide water for installation of a sprinkler system. They also advise that there are no heating devices in the cabin and the buildings are used during limited seasons.
- A (b) *The code required service sink will not be provided in the cabin.* The proponent advises that there is an exterior hose bibb provided at the cabin that will allow for buckets, mops, etc. to be used. There is no mention of water being provided in the cabins. No plans were furnished for the cabin as to size, number of sleeping spaces, restrooms, etc.

13-04-17

CI dathouse Community Center – Indianapolis

With the change of use from a former A-2 to an A-3, the GAR code required update of the occupancy to the current code will not be done. The building had previously been a bar and a portion of the building had been abandoned. The change to the A-3, community center, will be a lesser life safety and property hazard than the previous occupancy. The proponent advises that there will be a third exit provided for the community center. If the 2nd floor apartment is rented, the smoke alarms will be interconnected with the apartment. The hardship is the not for profit organization does not have the funds to bring the entire building up to today’s code. Sprinklers, fire-rated occupancy separations, electrical, mechanical, plumbing, etc. would require significant expenditures. What are the costs? What else is on the 2nd floor? Will the community center use all of the building except the apartment? What are the types of anticipated uses?

- 13-04-18 CI **Indiana University Gatch Clinical Building – Indianapolis**
The new egress corridor walls and doors involved in the renovation of the 2nd floor will not be fire rated as required by code for a structure that is not fully sprinklered. The proponent advises that the entire 2nd floor is sprinklered along with the 1st, 3rd, 4th and 6th floors. The basement is 5% sprinklered, the 5th floor is 40% sprinklered and the penthouse is 75% sprinklered. IU has a policy to provide sprinkler protection in each area as it is renovated and the same is true for this structure. The building is a minimum 2 hour fire rated concrete structural frame and floors, effectively providing a 2 hour rating between floor levels. The hardship is the cost to provide fire rated corridor construction and sprinkler protection for each floor would be excessive, given that the fire rated corridors would not be required when the building is fully sprinklered. By what date will the building be fully sprinklered?
- 13-04-19 A **Hoosier Energy Headquarters – Bloomington**
The storage rooms classified as S-1 occupancy will not be provided with the code required emergency showers and eyewash stations. The building is 4 stories in height and classified as a “B” (office and administrative use), with a main level boardroom classified as an “A-3” and several storage rooms throughout the building classified as “S-1” occupancies. The building will be Type II-B construction. The storage rooms will be used for general storage of office supplies and other items related to administrative and support functions in the building and not for hazardous materials. The hardship is the cost to provide plumbing fixtures that will provide no benefit to the public safety or welfare.
- 13-04-20 C **Abbey Court Clubhouse – Evansville**
The proposed new stair for the existing 2nd floor clubhouse assembly space will result in a separation of the 2 means of egress equal to approximately 45% of the overall floor diagonal dimension in lieu of the 50% required by the code. The building was constructed in 1972 and is 2 stories in height, plus a basement. The 2nd floor has been closed off and unused for some unknown period of time. Sometime during the time the 2nd floor was not used, the exterior stair was removed on the east end of the building to make way for construction of a pool and deck. The proposed stair will be located on the west end of the building. The stair on the west end will be the 2nd means of egress directly to the exterior from the 2nd floor multipurpose room, which is typically used in a table and chair configuration. The room on the east end of the 2nd floor is a fitness room which requires only one means of egress. A system of interconnected smoke detectors will be provided throughout the 2nd floor and the assembly room on the 1st floor. The hardship is that the strict imposition of the rule would require construction of a new interior stair, which would displace useable area.
- 13-04-21 AI **Crooked Stick Golf Club – Storage Barn – Carmel** Project #383001
A new storage barn, S-2 occupancy, will not be provided with the code required service sink and eye wash station. The proponent advises that the primary purpose for the barn is storage of patio furniture during the winter months. The new structure is not open to the public, will not serve as a workspace for employees of the golf club, and is not intended to be normally occupied space. The new building will be within 11 feet from an existing

building that has separate toilets for each sex, drinking fountain and eyewash station that are all within 100 feet of the farthest point of the storage building.

- 13-04-22 AI **Frontier Jr/Sr High School – Concession/Restroom/Locker Building** Project #362791
The proposed concession/restroom/locker building will not be constructed to comply with the Energy Code. This building is being constructed on the athletic fields. The building will have these amenities available for use during athletic events. There will be small heating units provided to give minimal heat during winter and will not be heated after the end of the fall sports season. There will be no cooling provided at any time. The hardship is the cost to provide a fully compliant design to meet the Energy Code for a building with very minimal energy usage. Similar variances have been approved in the past.
- 13-04-23 C/NVR **Blend Bar and Cigar – Indianapolis**
Only the proposed tenant space change of occupancy from an “M” to an “A-2” occupancy will be evaluated per Chapter 34, based upon the new tenant area of 5,030 sq. ft., instead of the entire building. The building area for purposes of evaluating allowable area will be based upon the original, building A, portion of the Clearwater Shoppes structure constructed in 1990. Building A is separated from the remainder of the building with a 2 hour area separation wall per the 1989 IBC. The project involves the conversion of the 5,030 sq. ft. retail space to a cigar bar. Building A is 16,890 sq. ft. in area. The building is of Type IIB construction. The tenant space will be separated from the rest of the building with a 2 hour fire barrier. A fire alarm will be provided throughout the new tenant space. There will also be a smoke detection system throughout the new tenant space. The egress travel distance will be a maximum of 75 feet, code permits up to 200 feet. The hardship is that the strict imposition of the rule would require evaluation of occupied tenant spaces, which is an operations and cost hardship. Doesn’t that 2-hour separation create 2 separate buildings for purposes of Chapter 34?
- 13-04-24 B **PEARings Frozen Yogurt – Indianapolis** Project #363008
The 1 hour wall separating the A-2 occupancy tenant space from the “B” occupancy lobby/atrium portion of the building will have existing nonrated glazed openings and door openings, and will exceed the permitted aggregate length allowed by code. Based on the 1 hour fire barrier wall proposed the openings are required to be fire rated and the width limited to 25% of the length of the wall. The proponent advises that the glazed window and door openings will be protected by a row of close-spaced sprinklers 6 feet on center, located within 12 inches horizontally of the wall on the tenant side of the wall. The building is protected throughout with an automatic sprinkler system. The hardship is the imposition of the rule would require the removal of the existing glazed wall construction, which would be an operational and cost hardship.
- 13-04-25 AI **Castle High School – Newburgh**
The proposed freezer/cooler addition of approximately 545 sq. ft. and the separate entry vestibule addition of approximately 170 sq. ft. to the existing building of 273,151 sq. ft. (163,696 sq. ft. on the 1st floor) will exceed the current code limit for Type IIB construction. The proponent advises that the vestibule will be added to create a secure

entry to the school through the reception area and the freezer and cooler addition will provide necessary additional capacity for frozen and chilled for the school kitchen. The building is classified as an “E” occupancy of Type IIB construction. The additions will have an aggregate increase of less than 0.3% area to the existing building. The hardship is the provision of a fire rated separation for the vestibule or freezer/cooler additions is impractical and virtually no benefit based on the lack of hazard posed by these additions.

- 13-04-26 B **Walker Career Center – Race to the Top – Indianapolis**
New egress corridor openings (glazed doors and windows) created as part of the renovation project will not be protected with fire rated assemblies as required by code. The proponent advises that they will use close spaced sprinklers on the room side of the openings within 2 feet horizontally at the ceiling level to create a sprinkler curtain. There will be automatic sprinkler protection provided in the project area in the 2nd floor egress corridor surrounding the project area. The building is not currently sprinklered. The large openings to the corridor are desired to reduce the closed in character of the interior rooms and to enhance the physical learning atmosphere.
- 13-04-27 AI **Cathedral High School – Loretto Hall Lower Level – Renovation**
The remodel of the high school football locker rooms will have existing steam pipes and equipment that only have a 6’ 4” (76 inches) clearance rather than the code required 7’ 6” (90 inch) or the accessibility code 80 inch requirement. The proponent advises that the steam pipes were installed about 8 years ago as part of an expansion and remodel project. The pipes are a bright white color. The building is sprinklered per NFPA 13. The hardship is the cost to relocate these pipes would cost a large amount of money, plus finding a suitable location for the pipes to be relocated too.
- 13-04-28 CI **514 West Kirkwood – Bloomington**
The maximum travel distance to an exit from the 2 existing 2nd floor apartments will be 72 feet and, based on the single exit provided from the 2nd floor, the maximum travel distance required by the code is 50 feet. This is based on a Chapter 34 evaluation, which is being done to convert the lower level of the building from a “B” occupancy, real estate office, back to 2 apartments. The upstairs apartments have been in place since prior to 1986. The structure is Type VB construction. The building is 2,615 sq. ft. and a covered porch on the first floor of approximately 250 sq. ft. The building is provided with smoke detection throughout and illumination and signage will be provided per the IBC. The variance is needed due to the change of occupancy of the 1st floor and the construction of an enclosed stair would be significant and functional impact of the building. What is the impact – need more details.
- 13-04-29 A **565 E. Graham Place – Bloomington**
The emergency escape and rescue windows do not meet the code of record for size. The code requires that the windows have a minimum of 4.75 sq. ft. openable area, be a minimum of 24” clear height, 18” clear width and have a maximum sill height of 48”. The current window in the basement has a clear opening of 4.16 sq. ft., 17.5” height, 34.25” width and a sill height of 38”. The upstairs windows are 4.8 sq. ft., 23” high, 30.5” wide and have a sill height of 30”.

- 13-04-30(a)(b) **Nativity Catholic Church – Parish Center – Indianapolis**
 DI (a) *The code required fire hydrant, required to be within 400 feet of the structure, will not be provided.* The new Parish Center building is to be constructed adjacent to the existing worship facility. The building is classified as A-3 occupancy of Type VA construction. The building will be used for meeting space, religious education classrooms, and administrative offices. A warming kitchen is provided for an occasional parish meal. The proponent advises that the building will be provided with a monitored fire alarm system. A corridor smoke detection system will be provided connected to the fire alarm system. Additional detectors will be provided in mechanical and storage rooms, and a heat detector in the kitchen. The nearest public water supply capable of supplying a fire hydrant is 1,800 to 2,000 feet from the site. This is a very long way for fire fighters to lay fire hose to fight a fire causing a significant delay in the ability to give adequate water to the scene in the event of a fire.
- DI (b) *The occupant load will be based on the architect's figures for the structure being used for tables and chairs only, utilizing a factor of 15 rather than as the code recommends the use calculations being estimated.* The architect has determined the occupant load to be 296. No plans were submitted and no sizes were given for the structure. With the proposed information given as to the uses of the structure, these figures are very low when using a factor of 15.
- 13-04-31(a)(b) **Trinity Wesleyan Church – Café and Great Room Modifications – Indianapolis**
 CI (a) *The code compliant existing fire (wall or barrier isn't specified) will be removed and a new fire barrier will be constructed in a different location.* The proponent advises that this is being done to allow the addition of a coffee serving area opening to the foyer for coffee users to mingle while waiting for the sanctuary to be available for the next scheduled service. With the drawings submitted, it is not clear if the original wall is a fire wall or a fire barrier. The plans also indicate that the fire barrier wall in the attic area will go at 2 different angles rather than straight to the roof deck.
- No Action (b) *Noncompliant doors will be added to the existing balcony for the purpose of sound control that will not be ADA compliant.* The Commission cannot approve a variance for this violation.
- 13-04-32(a)(b) **80/20 Inc. Headquarters – Addition – Columbia City**
 CI (a) *A three story addition will be added to an existing unlimited area 2 story building, and the code does not allow an unlimited building to be more than 2 stories in height.* The variance is to allow the current unlimited area building to retain its status as an unlimited area building with the unseparated 3 story addition. The current building is classified as F-1, S-1, and B occupancies and the addition will be a B occupancy, with an accessory A-3 training room and A-2 break room on the 1st floor. The addition will have approximately 14,000 sq. ft. on the 1st floor, 8,050 sq. ft. on the 2nd floor, and 9,290 sq. ft. on the 3rd floor. The existing building is 212,000 sq. ft. in area, which includes approximately 6,900 sq. ft. on the 2nd floor. The project will also include renovation of the existing office area. The building is protected throughout with an automatic sprinkler system and the addition will also be protected with automatic sprinklers. The maximum egress travel distance from the 3rd floor to an exterior exit or enclosed stair will be 150

feet, which code permits 300 feet. The 3rd story condition is necessary due to the need to provide the given square footage within the limited site conditions.

- DI (b) *One of the two egress stairs serving the 3rd story will be enclosed and the code requires a 1 hour enclosure for an egress stair connecting more than two floor levels.* The hardship is that the open condition between the 1st and 2nd floors is desired in order to permit open communications physically and visually between the two levels. No alternatives are offered and, if (a) is granted, this is a 3-story unlimited area building.

13-04-33(a)(b) **Hawpatch School – LaGrange**

- B (a) *The code required sprinkler system will not be provided for this rural Amish school with a group R occupancy.* The proponent advises that they will provide adequate doors and windows of the appropriate sizes. They will provide heat/smoke detectors as required and fire extinguishers as required and emergency exit signs at doorways as required. This is a rural Amish school and has no electricity. The hardship is there is no direct water supply or source. There is excessive cost involved to install a well and storage tanks to provide the system. And separate rooms are not desirable for the use of the building.
- B (b) *The means of egress will not be illuminated at all times the building is occupied and will not be provided with illuminated exit signs.* The proponent advises that they will install non-powered exit signage. The hardship is the lack of electrical power source on site.

- 13-04-34 BI **Mainstreet South Bend Skilled Nursing and Assisted Living Facility – South Bend**
A new extended care health facility with both I-1 and I-2 occupancies in it will have a non-rated glazed window in a 2 hour fire barrier between the two use groups. The barrier is installed to avoid the I-1 requirements of rated corridors throughout the entire building and to avoid more stringent NFPA construction requirements. The proponent advises that the building will be sprinklered throughout. The single glazed opening overlooks the lobby from the section floor. The opening will be protected with close spaced sprinklers on both sides of the laminated glazing, no more than 6 feet on center and within 12 inches from the surface of the glazing. The building also has code compliant smoke detection and fire alarm systems. The hardship involves the cost to install a rated assembly of expensive ceramic glazing of the cost of a rolling shutter over the opening.

- 13-04-35 DI **Neighborhood Health Clinics – Parking Garage – Ft. Wayne**
In lieu of the code compliant 9.5 mm suspension cables, there will be 6 six 2.5 mm steel cables used and the governor will utilize a 6 mm diameter suspension member. The proponent advises that they will conduct the needed training to the elevator section as needed to inspect these cables. The required monitoring has not been provided.

- 13-04-36(a)(b)(c)(d) **Cummins – IOB Building A Renovation – Columbus**
- BI (a) *A Chapter 34 analysis has been conducted for the change of occupancy from a “B” to “A-3” occupancy and the building cannot achieve the scores needed to pass the evaluation, so the request is to add 2.5 for a fire safety score, 15.9 for the means of egress score and 14.4 for the general safety score.* The proponent advises that, as part of

this project, the building will be equipped with a fire alarm system, smoke detection will be provided throughout both levels of the building, and automatic sprinklers will be installed in the lower level of the building and in three conference rooms on the 1st floor. The existing building is constructed of noncombustible construction. The hardship is the building is classified as a national historic landmark and due to the architectural significance it is not practical to achieve full compliance for the new use.

- BI (b) *For the purpose of applying Section 3410 of the IBC, the building is separated from adjoining portions of the campus with fire barriers, on the lower level two hour fire barriers with rated doors and at the main floor connections, the glass doors will be protected with closely spaced sprinklers on each side.* The fire rated separation that is needed to allow Chapter 34 to be applied to just this space is not complete because of the glass doors. The hardship is the building is classified as a national historic landmark and due to the architectural significance it is not practical to achieve full compliance for the new use.
- CI (c) *The water supply for the lower level sprinkler system will not be installed when the Building A renovation is completed and occupied.* The hardship is the adjacent Building C will undergo renovation subsequent to the completion of Building A and that area will be provided with sprinkler protection at that time. The proponent advises that it is more practical to supply the Building A system once the riser is in place in Building C.
- CI (d) *Sprinklers will not be installed below the open stair as required by code.* The proponent advises that there will be sprinklers installed around the perimeter of the stair at the ceiling level spaced at 6 feet on center. The hardship is that the stair is considered to be a historically significant feature and the stair has open risers and the piping will be visible if installed beneath the stair and detract from the aesthetics.

13-04-37(a)(b)

Toyota Motor Manufacturing, Inc. – Princeton

- B (a) *Electromagnetic locking devices requiring badge readers to enter and exit the computer area are in violation of the code.* The proponent advises that the computer rooms are high level security areas and the occupants must swipe their cards to exit the area to unlock the doors. The building is fully sprinklered. The electromagnetic locks will release upon a loss of power, activation of the fire alarm or sprinkler system. They can also be released with a key or by an emergency release button adjacent to the door. The building is monitored 24/7 by in house security staff.
- C (b) *The existing sprinklered Type II-N construction building has combustible partitions constructed of 2"X4" wood studs and combustible sheathing, which is not permitted by code.* The proponent advises that the building is protected by a sprinkler system with a design density of .30 over 4,000 sq. ft. which is over the production floor area. There is approximately 1,145 lineal feet of combustible partition wall within the 4 million sq. ft. plant. The partitions make up shop offices, training centers, break areas and misc. support areas scattered throughout the production area of the plant. The partitions are considered temporary as far as the plant is concerned, which means the partitions will be taken down as plant layouts change. The hardship is the cost of approximately \$314,900.00 to remove the combustible partitions and reconstruct the partitions of noncombustible materials. Was a CDR issued before these partitions were installed? According to the inspection report, the sprinkler heads were not put into these rooms so

they are not protected with the sprinkler system and a fire could get a large foothold before being touched by sprinklers. Was the fire alarm installed in these areas?

- 13-04-38 C **William Penn Commons Senior Housing – Indianapolis**
The code required sprinklers will be removed from the elevator hoistway and machine rooms, rather than installing the code required shunt trip. The proponent advises that the construction enclosing the machine room and hoistway cannot be verified to meet a two hour assembly. The building is otherwise sprinklered throughout. The construction enclosing the hoistway and machine room appears to be similar to a common shaft wall assembly, but utilizes metal studs in lieu of C-H channels to which liner board is attached. The machine room door and frame will be replaced with 1 ½ hour labeled assemblies. The hardship is that the elevator has been in service since 1986 without incident. The estimate to equip the elevator with a shunt trip at this point is a minimum of \$10,000.00. The facility houses low income senior residents. Who provided the estimate?
- 13-04-39 A **Crown Rentals, Inc. – Crown Point**
The items listed in Table 29 of the IBC will not be provided in this storage facility as required by code. The storage facility is for personal belongings in a rental storage unit. Emergency eye wash stations, showers, water closets and lavatory are not needed since the buildings will only be occupied when someone drops off their items to be stored. The buildings will not normally be occupied.
- 13-04-40 CI **Snider High School – Renovation – Ft. Wayne**
The pedestrian walkway will be constructed of combustibile construction to connect the modular classrooms to the main building, which is Type IIB construction and the code requires the walkway to be noncombustible construction when connecting to noncombustible buildings. The proponent advises that as required by code the connection at the main building will be 2 hour fire resistive construction. The modular classrooms and walkway are intended to be removed by 2016. The hardship is the increased cost and time of noncombustible construction for a temporary structure. What is the cost and how much time?
- 13-04-41 B **Plymouth High School – Plymouth**
The code required 1 hour corridors with 20 minute fire rated door assemblies will not be provided in the renovation area of the partially sprinklered Type II-B construction school building. The proponent advises that the area being renovated will be protected by a new automatic sprinkler system designed and installed per NFPA 13, 2010 Edition. The existing corridor smoke detection system will be extended into the new corridors for early warning of smoke within the corridor system. The renovation will be separated from the rest of the existing building by a one hour fire barrier. The hardship is the desire to have nonrated corridors within the sprinklered area without the inconvenience of fire rated doors and closures and the cost to provide and maintain the fire rated corridors.

- 13-04-42 CI **University of St. Francis – End Zone Building – Ft. Wayne**
The new permanent structure being constructed to replace tents that had been used in the end zone for hospitality space during football games will not comply with the numbers of restroom fixtures required in Chapter 29 of the IBC. The proponent advises that the existing restroom facilities along with the two new ones being built will not provide the required numbers per the code. The lower level of the structure will be used for the visiting team locker rooms and a weight training facility. The facility is only used 5 to 7 times per year during home games. The university will provide portable toilet facilities for each of these events in quantities that bring the total number of fixtures, along with the new rest rooms into compliance. This will entail 2 portables for men and 5 for women. The hardship is the cost of construction of permanent rest room facilities that will only be used a few times per year. How many fixtures are required and how many will be provided?
- 13-04-43 C **North Park Nursing Center – Memory Care Unit Doors – Evansville**
The double doors exiting to the corridor of the Memory Unit have a painted mural of a garden scene on them in violation of the code. The proponent advises that the double doors exit into the corridor and two other sets of doors lead to the outside and are not painted with a mural. This is a unit designed to care for dementia residents and has nursing staff 24 hours a day 7 days a week. This is a structured research unit based on a program utilizing the social model philosophy of care. The concept of the cottage is to focus on maintaining a secure home like environment where residents have a sense of belonging and cultivate feelings of security. Is there an exit sign over the door? How does the public know how to get out?
- 13-04-44 BI **Indiana University – Global & International Studies Building – Bloomington**
The new 4 story university office/classroom building will have a 3 story open connector space, with a stair, where the stair will be more than twice the horizontal protected area of the stairway, which is not allowed by code. The building will have an NFPA 13 sprinkler system, the floor openings at the 1st and 2nd floor levels will be protected by a draft curtain and close spaced sprinklers (no more than 6 feet on center and no more than 12 inches from the draft curtains) per NFPA 13. Sec. 8.15.4. The opening connects three levels while the code allows up to four levels. The hardship involves the cost and loss of visual connection to create a 1 hour shaft between the two wings and each floor level. The code is a hardship when it limits the size of the open area, and does not recognize that sprinklers will control a fire, thus limiting the smoke production.
- 13-04-45 CI **The Warehouse by The Family Center – Bloomington**
The variance request is to extend the previous variance (13-01-54 which expires at the end of March 2013) for 12 months to permit occasional assembly functions in the partitioned spaces “2” and “8” indicated on the plans. The request occupant load is 600, less than previously approved for the temporary use. The proponent request that this variance be extended until March of 2014, in order to provide time for the necessary fundraising and completion of construction associated with implementation of the variance approved in February 2013 for the permanent change of occupancy for the building. The events and uses will be associated with Real Life Media’s youth program,

as well as a church congregation that meets in the space for worship services. The proponent advises that the building is protected throughout with an automatic sprinkler system. The system has been maintained as required. The building has a fire alarm system, including horns and strobes per the current code in the area temporarily approved for assembly use. Egress illumination and exit signage has been provided in compliance with the IBC for the occupied area and the means of egress from the area. Means of egress and plumbing fixtures have been provided to accommodate the requested occupant load. A fire watch will be provided for each event of 300 or more, as previously approved. No events will involve alcohol and adequate adult supervision will be present. The hardship is the cost of construction for Phase 1 of the permanent change of occupancy is estimated at \$200,000.00. The extension of time requested for the limited temporary assembly use is necessary in order to complete the fundraising and construction.

- 13-04-46 BI **Roehl Transport – Gary** Project #359461
Rather than the code compliant springs, the ACLA Buffers, from Otis, will be used. The buffers have been approved in the past as an alternative means of performing in these situations.
- 13-04-47 CI **The Legends of Golf Club – Assembly Building – Franklin**
The code required sprinkler system will not be provided for the new A-2 occupancy of Type VB construction, 4,800 sq. ft. assembly space to be used for banquet dinners. The proponent advises that the calculated occupancy will be 257 and the average outing occupant load has been 90, in the past. The hall will be used normally from May through September and will replace a temporary tent structures that have been used in the past. The building will be provided with a monitored fire alarm system, smoke detection system connected to the fire alarm, neither of which is required by code. The assembly room will be an open room with 4 exits directly to the exterior. There will be no cooking or food preparation in the building, the food will be catered and no kitchen will be provided. The maximum travel distance from the building will be approximately 50 feet. The hardship is the cost of the sprinkler system, which is estimated at \$45,000.00 and the total cost of the building is estimated at \$276,000.00.
- 13-04-48(a)(b) **Deam Lake – Campground Cabins – Borden** Project #362576
DI (a) *The code required sprinkler system will not be provided for this cabin located at a state recreational area.* The cabin will not be provided with inside plumbing. There will be a combination hard wired electric and battery smoke detector installed per code. The cabin is only 270 sq. ft. The pictures show the cabin is on skid runners and is not a permanent type structure, with no foundation being present. The structure is 12' 2" X 28' 4" which includes the porch that is 6' X 12' 2".
DI (b) *The Energy Code will not be followed in this cabin as it will not have heating, ventilation, air conditioning or insulation, to maintain minimum temperature as required by the code.* The proponent advises that the cabins will be located in the primitive campground area. The cabin is 270 sq. ft. of living space and will offer considerably more freedom and protection from the elements than other forms of primitive camper equipment available.

- 13-04-49(a)(b) **Starve Hollow SRA – Campground Cabins – Vallonia** Project #362573
 DI (a) Same as 13-04-48
 DI (b) Same as 13-04-48
- 13-04-50 **BI Kiddie Academy – Fort Wayne**
A complete NFPA 13 sprinkler system will not be provided as required for the change of occupancy from a “B” to an “E/I-4” occupancy. The proponent advises that they will install the NFPA 13 system in the entire building except the attic space. They will install a second layer of drywall to provide a one hour separation from the attic. They will also install three draft stops in the attic area and install heat detectors in all three areas. There are three exits from the building which is one more than required. The longest travel distance will be 94’ and the code allows 200’ maximum. Each childcare room will be provided with a minimum of one egress window. Smoke detectors will be provided throughout the building as well. The hardship is the cost to install a dry sprinkler system in the attic at a cost in excess of \$26,000.00. The project will also need to increase the water line into the building from the current 1 ½” line to at least a 4” line at a cost of \$16,000.00.
- 13-04-51 **CI Gurdwara Jot Amrit Parkash – Fishers** Project #362664
The 1st floor of the single family dwelling will be used for Sunday worship for a period of 6 months, which is not allowed by the code. The request is for temporary use. The proponent advises that the project has been filed and will begin once a CDR has been issued and permits are obtained. The basement will be locked off and will not be used until all construction has been completed. The structure involves a single story with basement single family residence that will be changed into a worship facility. The building is currently approximately 2,200 sq. ft. on the 1st floor and 1,700 sq. ft. in the basement and will have additional area added of 745 sq. ft. to the 1st floor and 580 sq. ft. to the basement which will add a 2nd stair for the basement for egress as needed. The proponent advises that they will provide a fire watch during the time the 1st floor is occupied for worship on Sundays. There will be 2 means of egress from the 1st floor as required. The congregation requests the limited use of the 1st floor for Sunday worship until the completion of the project. Have the local building and fire officials been advised of this and are they in agreement? What is “temporary”. Approval needs to be by the Commission.
- 13-04-52(a)(b)(c)(d)(e) **LEP Special Fasteners – Frankfort**
 DI (a) *Class IIIA combustible liquids will be in the plant in excess of the amount allowed by the building and fire codes. There will be 1,200 gals. in closed systems and 700 gals. in open systems. The code allows a maximum of 660 gals. in closed systems and 160 gals. in open systems. The proponent advises that they want this facility to be treated as unlimited for the amounts of combustibles. The proponent advises that the building is sprinklered and the new addition will also be sprinklered in accordance with NFPA 72 – the 2010 Edition. The open system is 700 gallons (phosphate plating line) and it has a foam suppression system at the equipment. This condition has been in existence for 10 years. The hardship is the expense of bringing the facility to the required high hazard type occupancy. Why was this not installed properly at the time of construction of the*

facility? These amounts are significantly higher than the code allows and pose a real hazard. The fact that nothing has gone wrong so far is not a reason to allow the situation to continue.

DI (b) *The metal plant will have corrosives in an open process in excess of the code allowed maximums.* The facility will have 1,870 gals. of corrosives in open containers and the code allows a maximum of 200 gallons. The proponent advises that they want this facility to be treated as unlimited for the corrosives. The proponent advises the building is sprinklered. The acids used in waste treatment will have a diked area that will contain spills. This condition has been in existence for 10 years. The hardship is the expense of bringing the facility to the required high hazard type occupancy. Why was this not installed properly at the time of construction of the facility? These amounts are significantly higher than the code allows pose a real hazard. The fact nothing has gone wrong so far that is not a reason to allow the situation continue.

DI (c) *The code required smoke and heat vents will not be provided in this facility.* The code requires the smoke and heat vents in F-1 occupancies in excess of 50,000 sq. ft. and this main plant room is approximately 360,000 sq. ft. The building is fully sprinklered. The IBC and NFPA 13 permit manually operated vents, but the proponent advises that the vents would not have a positive impact on fire control or evacuation time. Computer based fire modeling has been done and the information is included with the applications. The building does have a ventilation system that can assist in removing smoke after a fire. The hardship is the cost of smoke and heat vents, with draft curtains given the questionable effectiveness in sprinklered buildings. Is the system designed for this risk, since it was never constructed to meet code?

DI (d) *The existing factory will be expanded to include Phase II and the existing factory and the expansion will have an exit travel distance of approximately 400 feet to an exit and the code limits that travel distance to a maximum of 250 feet for F-1 And S-1 occupancies.* The building is fully sprinklered and so will the addition. The average roof height is 36 feet. The shift work force is expected to be 200 employees in the plant area. The proponent advises that the general fire hazards in the building are minimal and special hazards are protected. The employees will be familiar with the building. But as has been stated in the three previous variance applications this is not an F-1/S-1 occupancy, they want to treat it as one rather than the high hazard it is.

CI (e) *With the expansion of the factory including Phase II the travel distance to the restroom will be approximately 1,000 feet and the code limits the distance to a maximum of 500 feet.* The proponent advises that the employees work area will be in selected areas. The employees will be familiar with the building. The work shift will be approximately 200 employees in the plant. The restrooms have been located in a manner suitable for the employees. How was this done?

13-04-53(a)(b)(c)(d) **Municipal Gardens Park – Splash Pad – Indianapolis** Project #361834

CI (a) *The new splash pad for the city park will not be provided with the code required filtration and recirculation, the water will discharge directly to a sewer.* The hardship is the cost to install and maintain a filtration and recirculation system. The Commission has authorized an amendment to 675 IAC 20-5-14 to omit the required circulation system under these facts, but did not address 675 IAC 20-5-15. The previous variance was 12-08-61.

- CI (b) *The code required first aid kit will not be provided for the new splash pad in the city park.* The proponent advises that the site is not secured, nor are there any supervisors for the splash pad. The hardship is the cost to maintain a first aid kit at an unsecured non-supervised site. How much is a first aid kit?
- CI (c) *The code required shower will not be provided for the splash pad in the city park.* The proponent advises that the splash pad will use potable water with no recirculation of water. The splash pad will act as the shower. The hardship is the cost to install a shower. What is the cost?
- CI (d) *The code required fence will not be provided for this splash pad in the city park.* The code requires a 6 foot fence or barrier. The splash pad has a 4 inch curb, thus the water level will be less than 4 inches. The hardship is the cost to install and maintain the fence with the limited funds available. What is the cost?

13-04-54 CI **Greenville Technology Inc. – Paint Room Addition – Anderson**
The code required generator for the ventilation system will not be provided for the system serving the H-3 occupancy paint storage room of 1,316 sq. ft. and the H-2 occupancy paint mix room of 400 sq. ft.. The rest of the facility is primarily an F-1 occupancy. The facility produces painted injection molded parts for the auto industry. The project involves the additional paint room, including a storage room for flammable and combustible paints and solvents, and a paint mix room where paint will be mixed and thinned to the proper viscosity in processes involving intermittent open use and dispensing. Paint is then transferred in exempt quantities in fully automated process equipment in the F-1 occupancy manufacturing area for application to molded plastic parts. The electrical service for the building is fed by 3 separate substations with automatic time delayed transfer switches. The hardship is the cost to install and maintain a generator on the existing site. What is the cost?

13-04-55(a)(b) CI **Trine University – T. Furth Performing Arts Center – Angola Project #363605**
 (a) *The existing means of egress features that are not in compliance with current code dimensional requirements will serve the portion of the planned additions in the basement and balcony level.* Section 3410 permits existing features to serve the existing building changing occupancy, but does not apply to an addition. The proponent advises that the building is protected throughout with the required automatic sprinkler system. The existing stairs will be enclosed with fire resistive construction (with the exception of openings addressed in the other variance application for this project). The hardship is the strict imposition of the rule would require all existing stairs to be demolished and replaced.

CI (b) *The existing southeast stairs will have unprotected openings at the 1st floor level and the score for vertical openings in Section 3410.6.6 is for 1 hour stair enclosures.* The building is 2 stories with a basement and will be classified as A-1 and B occupancy. The project involves conversion of an existing church facility to a theater for performing arts and additions for a 1st floor back or stage space and basement storage, an entry vestibule/elevator serving each floor level, and addition to the 2nd floor balcony seating area. The openings will be protected with a minimum 18 inch draft curtain and close spaced sprinklers. The 2 existing stairs connecting the 3 floor levels will be otherwise enclosed with fire resistive construction, including 1 hour fire barriers and 1 hour rated

doors. The hardship is the configuration is such that any attempt to enclose with rated openings will result in door conflicts with locations of existing risers and other existing building features. Need drawings to show details of the “door conflicts” and “other existing building features”.